


AMENDMENT***In the claims:***

45. (CURRENTLY AMENDED) A fence assembly for supporting a workpiece relative to a saw blade of a saw, the fence assembly comprising:
- a fence channel having first and second ends;
 - a head assembly coupled to the first end of the fence channel, the head assembly including a housing and a locking handle eam, the locking handle eam defining a handle portion extending from a rotatable eamming portion situated in the housing;
 - a locking pawl proximate the second end of the fence channel;
 - a rod interconnecting the rotatable eamming portion and the locking pawl, the rod having a first end connected to the rotatable eamming portion at an off-center location and a second end connected to the locking pawl; and
 - at least one annular bearing situated in the housing, the annular bearing receiving the rotatable eamming portion such that the locking handle eam is rotatably supported only by the annular bearing to eliminate direct contact between the rotatable eamming portion and the housing, wherein the rotatable eamming portion rotates within the annular bearing upon actuation of the handle portion to move the rod, and thus the locking pawl, towards the head assembly.
46. (CURRENTLY AMENDED) The fence assembly of claim 45, wherein said locking handle eam is of a single piece construction.
47. (CURRENTLY AMENDED) The fence assembly of claim 46 wherein said handle locking handle eam is constructed out of injection-molded plastic.
48. (PREVIOUSLY ADDED) The fence assembly of claim 45, wherein said annular bearing comprises two annular bearings.
49. (CURRENTLY AMENDED) The fence assembly of claim 48, wherein the annular bearings are situated on either side of the rotatable eamming portion.

50. (CURRENTLY AMENDED) A table saw comprising:

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- a base;
 - a table connected to the base and having an upper surface;
 - a blade extending through the table;
 - a first rail connected to a first side of the table;
 - a second rail connected to a second side of the table;
 - a fence channel having first and second ends;
 - a head assembly coupled to the first end of the fence channel, the head assembly slidably received by the first rail and including housing and a locking handle cam, the locking handle cam defining a handle portion extending from a rotatable camming portion situated in the housing;
 - a locking pawl proximate the second end of the fence channel;
 - a rod interconnecting the rotatable camming portion and the locking pawl, the rod having
 - a first end connected to the rotatable camming portion at an off-center location
 - and a second end connected to the locking pawl; and
 - at least one annular bearing situated in the housing, the annular bearing receiving the rotatable camming portion such that the locking handle cam is rotatably supported only by the annular bearing to eliminate direct contact between the rotatable camming portion and the housing, wherein the rotatable camming portion rotates within the annular bearing upon actuation of the handle portion to move the rod, and thus the locking pawl, towards the second rail to apply a clamping pressure to the second rail.

51. (PREVIOUSLY ADDED) The table saw of claim 50, further comprising a microadjust assembly including:

- a knob handle rotatably coupled to the head assembly;
- a bumper operatively connected to the knob handle, the bumper comprising an elastomeric material and defining a substantially smooth outer surface; and

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a spring biasing the knob handle and the bumper towards a first position wherein the bumper is not in physical contact with the first rail, the knob handle being movable to a second position wherein said bumper engages said first rail and moves said head assembly due to friction contact between the bumper and the surface of the front rail in response to rotation of said knob handle.

52. (PREVIOUSLY ADDED) The table saw of claim 50, wherein:

the head assembly includes a lower surface that defines a radius; and

the first rail includes a curved profile portion that defines a radius that substantially matches the radius of the lower surface, such that the curved profile portion receives the lower surface of the head assembly to self align the fence channel with the blade.

RESPONSE TO OFFICE ACTION

This paper is submitted as a complete response to the final office action mailed on January 29, 2003, for the referenced case ("the office action"). Claims 45-52 are currently pending; claims 45-47, 49 and 50 have been amended herein. Reconsideration of the present application is respectfully requested in light of the foregoing amendments and the following remarks.

Claim Rejections – 35 USC § 112, first paragraph

Section 2 of the office action rejected claims 45-52 under 35 U.S.C. 112, first paragraph, as allegedly containing subject matter not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention. Applicants respectfully traverse this rejection.

The office action alleges that the disclosure does not provide support for a "handle cam" or a "camming portion." The office action describes the Examiner's understanding of the disclosed structure, which generally appears to be accurate.

As noted in Applicants prior office action response, the Federal Circuit stated in *Union Oil of California v. Atlantic Richfield Co. et al.*:

The written description requirement does not require the applicant to describe exactly the subject matter claimed, [instead] the description must clearly allow persons of ordinary skill in the art to recognize that [he or she] invented what is claimed.

208 F.3d 989, 997 (Fed. Cir., 2000) (citation omitted). Based on the written description and drawings of the present application, the Examiner was able to adequately describe the disclosed structure. That structure clearly allows persons of ordinary skill in the art to recognize that Applicants invented what is claimed.

While Applicants believe that the specification clearly describes "camming" according to a common dictionary definition of that term ("a rotating or sliding piece in a mechanical linkage used especially in transforming rotary motion into linear motion or vice versa." Merriam-Webster Dictionary (www.m-w.com)), the claims have been amended to remove the terms "cam" or "camming."

Applicants therefore believe that the rejection under 35 USC 112, first paragraph, is overcome.

Claim Rejections – 35 USC § 112, second paragraph

Section 3 of the office action rejected claims 45-52 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. Applicants respectfully traverse this rejection.

The office action quotes the following recitation of claims 45 and 50: "to eliminate direct contact between the camming portion and the housing...." (emphasis added). The office action alleges that this phrase makes the claims unclear, stating that "it is not clear how any 'camming' can occur if there is no contact by the camming surface (i.e., if there is no 'camming' action, then it is not clear how the surface be a camming surface)." The ordinary meaning of the claim terms does not require any specific contact between components.

In any event, the terms "cam" and "camming" have been removed from the claims, thus overcoming the section 112, paragraph 2 rejection.

Claim Rejections - 35 USC § 102

Sections 4-5 of the office action rejected claims 45, 46, 48-50 and 52 under 35 USC 102(b) as allegedly being anticipated by U.S. Patent No. 5,181,446 to Theising ("Theising"). Applicants respectfully traverse this rejection.

For there to be anticipation under 35 U.S.C. §102, "each and every element" of the claimed invention must be found either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *See also Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565, 1571, 230 USPQ 81, 84 (Fed. Cir. 1986) ("absence from the reference of any claimed element negates anticipation."); *In re Schreiber*, 128 F.3d 1473, 1477, 44 USPQ2d 1429, 1431 (Fed. Cir. 1997). As pointed out by the Federal Circuit, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claims 45 and 50 each recite

"at least one annular bearing situated in the housing, the annular bearing receiving the rotatable portion such that the locking handle is rotatably supported only by the annular bearing to eliminate direct contact between the rotatable portion and the housing, wherein the rotatable portion rotates within the annular bearing upon actuation of the handle portion to move the rod, and thus the locking pawl, towards the head assembly"

The office action appears to equate the spherical portion 65 shown in Figures 2 and 3 of Theising with the annular bearings recited in the present claims. However, in Theising, the "spherical portion 65 rotates in a complementary shaped curved element 67...." Theising at col. 6, ll. 30-32. As shown in Figures 2 and 3 of Theising, as the handle 69 is rotated downward, the spherical portion 65 contacts the curved wear surface 67 and pulls the rod 55 to lock the fence in place.

The structure recited in the present claims seeks to avoid this direct contact with the rotating portion of the locking handle. Instead, the rotating portion is received by annular bearings, eliminating a wear surface. The office action states the spherical portion 65 is "ring shaped." However, there is no disclosure or suggestion of the *spherical* portion being ring shaped -- it is spherical.

The office action further states "there is a round portion (e.g. 65) on each side of the threadable interconnection (61) of rod (55). The claims state that a rod interconnects the rotatable portion and the locking pawl. In Theising, as stated in the office action portion quoted above, the rod 55 is threadably interconnected to the spherical portion 65. Thus, the office action appears to equate the spherical portion 65 shown in Theising with the rotatable portion recited in the claims. However, the *rotatable* portion 65 of Theising is *not* received by an annular bearing. The office action appears to state that the spherical portion 65 is *both* the rotatable portion and the annular bearing receiving the rotatable portion.

The claims state that the annular bearing receives the rotatable portion so that the locking handle is rotatably supported only by the annular bearing to eliminate direct contact between the rotatable portion and the housing. The spherical portion 65 of Theising clearly contacts the housing (curved element 67) shown therein -- the spherical portion 65 does not *prevent* itself from contacting the housing. Moreover, the claims state that the rotatable portion *rotates within* the annular bearing. Again, the spherical portion 65 does not rotate within itself.

Thus, Applicants respectfully contend that the structure disclosed in Theising is clearly different, and thus does not describe, the claimed structure. Theising therefore cannot anticipate the claims of the present application.